

**CHAPTER NO. 628**

**SENATE BILL NO. 2854**

**By Henry**

**Substituted for: House Bill No. 2619**

**By Briley, Arriola**

AN ACT To amend Tennessee Code Annotated, Title 41, Chapter 2, Part 1, relative to misdemeanor work release.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:


SECTION 1. Tennessee Code Annotated, Section 41-2-128, is amended by deleting subsection (a) and substituting instead the following:

(a) Whenever any person has been sentenced to undergo imprisonment in a county workhouse, hereafter referred to as "workhouse," for the commission of a crime defined as a misdemeanor by the laws of the State of Tennessee, the county board of commissioners, if there is one, otherwise the judge of the circuit court, criminal court or court of general sessions having jurisdiction in the county where the person is imprisoned, upon application made therefore by the warden, superintendent, prison keeper or other administrative head of a workhouse, may by order direct the warden, superintendent, prison keeper or other administrative head of a workhouse to permit the prisoner to leave the workhouse during necessary and reasonable hours for the purpose of working at the prisoner's employment, conducting the prisoner's own business or other self-employed occupation including, in the case of a woman, housekeeping and attending to the needs of such woman's family, seeking employment, attendance at an educational institution or securing medical treatment. Similarly, the judge of the circuit court, criminal court or general sessions court having jurisdiction in the county where the person is imprisoned may, upon application of the sheriff, enter a like order for the same purpose for jail prisoners. The order may be rescinded or modified at any time with or without notice to the prisoner.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 10, 2002

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 17<sup>th</sup> day of April 2002

  
DON SUNDQUIST, GOVERNOR